

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-CV-11393-DT

JAMES E. SCHELLENBERG and
DELORES SCHELLENBERG,

Defendants.

ORDER GRANTING IN PART “JOINT MOTION FOR EXTENSION OF DEADLINES”

Before the court is the parties’ “Joint Motion for Extension of Deadlines.” In their January 19, 2008 motion, the parties recognize that “discovery is currently scheduled to close on January 22, 2008, but claim that “[i]n an effort to conserve resources, the parties have thus far requested discovery only from each other, and have not requested discovery from third parties.” (Joint Mot. at ¶¶ 2-3.) The parties state that it is now apparent that documents which are necessary “to allow the parties to potentially resolve the case are in the possession of third parties,” and “the parties do not have enough time to request discovery from third parties and allow a reasonable time for those third parties to respond.” (*Id.* at ¶¶ 3-4.) The parties therefore request an additional ninety days for discovery.

The first paragraph of the court’s scheduling order states that “[t]he court seldom extends, but may shorten, the deadlines established in this Order.” (9/13/07 Scheduling Order.) Because the parties have not asked for numerous extensions in the past, and

have presented the court with a reason for their delay, the court is persuaded that discovery may continue through March 31, 2008. Accordingly,

IT IS ORDERED that Defendant's "Joint Motion for Extension of Deadlines" [Dkt. # 18] is GRANTED IN PART. The Scheduling Order is amended to provide for discovery to continue through **March 31, 2008**, the dispositive motion cut-off date is extended until **April 28, 2008**, the final pretrial conference is rescheduled for **July 28, 2008 at 2:00 p.m.** and the bench trial is set to begin **August 11, 2008 at 9:00 a.m.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 13, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 13, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522